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#334

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

BEYOND FINANCE, LLC and CONSUMER FINANCIAL
 SERVICES SOLUTIONS, INC.,

Plaintiff(s)

v.

FIDELITY DEBT RELIEF, LLC and WADE KIRK,

Defendant(s)

CASE NUMBER

8:22-cv-01098

**APPLICATION FOR APPEARANCE AND EXAMINATION
 OF ☒ JUDGMENT DEBTOR or ☐ THIRD PARTY RE:**

☐ ENFORCEMENT OF JUDGMENT
☐ ATTACHMENT (Third Person)

BEYOND FINANCE, LLC and CONSUMER
 FINANCIAL SERVICES SOLUTIONS, INC.

(Name)

, the (choose one)

☒ Judgment Creditor ☐ Assignee of Record
☐ Plaintiff who has a right to attach order

hereby applies for an order requiring WADE KIRK to appear and furnish information to aid
 (Name of Person To Be Examined)

in enforcement of the money judgment or to answer concerning property or debt.

The person to be examined is:

- ☒ the judgment debtor
- ☐ a third person who (1) has possession or control of property belonging to the judgment debtor or the defendant or (2) owes the judgment debtor or the defendant more than \$250.00. An affidavit or declaration supporting this application under California Code of Civil Procedure section 491.110 or 708.120 is attached hereto.
- ☐ a third person who has information concerning the business or financial affairs, assets, and/or transactions of the judgment debtor or the defendant sufficient to aid in the enforcement of the money judgment or right to attach order against the judgment debtor or the defendant pursuant to California Code of Civil Procedure sections 491.120 or 708.130. An affidavit is attached hereto that (1) shows that a relationship exists between the judgment debtor or the defendant and the third party such that the third party can furnish information to aid in the enforcement of the money judgment or right to attach order and (2) sets forth the categories of information and documents sought.

The person to be examined resides or has a place of business in the county or within 150 miles of the place of examination. (See California Code of Civil Procedure sections 491.150(b), 708.160(b).)

☐ This court is **not** the court in which the money judgment was entered or (*attachment only*) the court that issued the writ of attachment. An affidavit or declaration supporting an application under California Code of Civil Procedure section 491.150 or 708.160 is attached.

☐ The judgment debtor has been examined within the past 120 days. An affidavit or declaration showing good cause for another examination is attached.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 22, 2024

s/Robin Sagstetter

(Signature of Declarant)

Robin Sagstetter, Esq.

(Type or Print Name)

A PROPOSED ORDER TO APPEAR FOR EXAMINATION (CV-4P ORDER) MUST ACCOMPANY THIS APPLICATION